

AUG. 25. 2005 4:41PM

MOFO 28TH FL

RECEIVED  
CENTRAL FAX CENTER

NO. 574 P. 1

MORRISON | FOERSTER

AUG 25 2005  
425 MARKET STREET  
SAN FRANCISCO  
CALIFORNIA 94105-2482  
TELEPHONE: 415.268.7000  
FACSIMILE: 415.268.7522  
WWW.MOFO.COMMORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
LOS ANGELES, PALO ALTO,  
SAN DIEGO, WASHINGTON, D.C.  
DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTURY CITY  
TOKYO, LONDON, BEIJING,  
SHANGHAI, HONG KONG,  
SINGAPORE, BRUSSELS

To:

NAME:	FACSIMILE:	TELEPHONE:
U.S. Patent and Trademark Office ATTN: CENTRALIZED FAX CENTER	(571) 273-8300	

FROM: Otis Littlefield  
Reg. 48,751

DATE: August 25, 2005

Number of pages with cover page:	17	
-------------------------------------	----	--

Preparer of this slip has confirmed that facsimile number given is correct:

OBL1/7524**CAUTION - CONFIDENTIAL**

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

**Comments:****PLEASE PROCESS THE ATTACHED.**

U.S. Patent Application Serial No. 10/821,710  
For: CONTROL OF GENE EXPRESSION  
By: Michael W. GRAHAM et al.  
Our Reference: 54632-20003.04

Attached is the following:

1. Transmittal (1 page)
2. Amendment Under 37 CFR 1.111 (13 pages)
3. Fee Transmittal dtd 4/29/05 (copy, 1 page)
4. Return Receipt Postcard dtd 4/29/05 (copy, 1 page)

sf-1898138

**RECEIVED**  
**CENTRAL FAX CENTER**

AUG 25 2005

PTO/SB/21 (09-04)

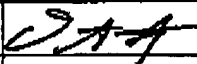
Approved for use through 07/31/2006. OMB 0851-0031

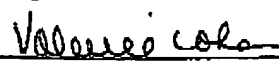
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/821,710
		Filing Date	April 8, 2004
		First Named Inventor	Michael W. GRAHAM
		Art Unit	1636
		Examiner Name	D. Sullivan
Total Number of Pages in This Submission	16	Attorney Docket Number	546322000304

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (13 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Fee Transmittal dtd 4/29/05 (copy, 1 page) 2. Return Receipt Postcard dtd 4/29/05 (copy, 1 page) 3. Facsimile Cover Sheet
Remarks: _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature			
Printed name	Otis Littlefield		
Date	August 25, 2005	Reg. No.	43,751

I hereby certify that this correspondence is being sent via facsimile to the U.S. Patent and Trademark Office at fax no. (571) 273-8300, on the date shown below.	
Dated: August 25, 2005	Signature:  (Valerie Cohen)

sf-1990482

AUG. 25. 2005 4:41PM

MOFO 28TH FL

NO. 574 P. 3

RECEIVED  
CENTRAL FAX CENTER

AUG 25 2005

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (871) 273-8300, on the date shown below.

Dated: August 25, 2005

Signature:

*Valerie Cohen*  
(Valerie Cohen)

Docket No.: 546322000304  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Michael W. GRAHAM et al.

Application No.: 10/821,710

Confirmation No.: 1697

Filed: April 8, 2004

Art Unit: 1636

For: CONTROL OF GENE EXPRESSION

Examiner: D. Sullivan

**AMENDMENT UNDER 37 C.F.R. 1.111**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action dated June 29, 2005 (Paper No. Part of Paper/Mail Date 0605), for which a response is due on September 29, 2005. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 5 of this paper.

sf-1964878